

REMARKS

The Official Action mailed May 21, 2010, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on August 22, 2006 and July 7, 2008.

Claims 1-16 are pending in the present application, of which claims 1-8, 10, 12 and 13 are independent. Claims 1-8, 10, 12, 13 and 16 have been amended to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action objects to claim 1 asserting that "the light emitting element does not function [sic] conducting photoelectric conversion." Claims 1 and 5 have been amended to replace the expression of "wherein the light-emitting element and the light-receiving element each have a layer for conducting photoelectric conversion using a non-single crystal thin film" with an expression of "wherein the light-receiving element has a layer for conducting photoelectric conversion using a non-single crystal thin film," and "wherein the light-emitting element has an electroluminescent layer using a non-single crystal thin film." These amendments are supported, for example, by at least lines 4-7 of paragraph [0005] and in lines 1-3 of paragraph [0114] of the corresponding Patent Application Publication (US 2007/0176622 A1) of the present application. With these amendments, the objection to claim 1 is believed to be overcome and reconsideration is requested.

The Official Action rejects claims 1-3 and 10-11 as obvious based on the combination of U.S. Publication No. 2003/0032213 to Yonezawa and U.S. Publication No. 2003/0052324 to Kimura. The Official Action rejects claims 5-7 and 13-15 as obvious based on the combination of Yonezawa, Kimura and U.S. Publication No.

2002/0149119 to Kumatani. The Official Action rejects claims 4 and 12 as obvious based on the combination of Yonezawa, Kimura and U.S. Patent No. 6,590,633 to Nishi. The Official Action rejects claim 8 as obvious based on the combination of Yonezawa, Kimura, Nishi and Kumatani. The Official Action rejects claims 9 and 16 as obvious based on the combination of Yonezawa, Kimura, Kumatani and U.S. Publication No. 2004/0152392 to Nakamura. In each case, the Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. All independent claims 1-8, 10, 12, and 13 have been amended to recite "a light-receiving element configured to receive a signal by optical communication" and "a light-emitting element configured to transmit a signal by optical communication." Support for this amendment can be found, for

example, in lines 1-3 of paragraph [0016] of the Patent Application Publication (US 2007/0176622 A1) of the present application. It is respectfully submitted that the prior art of record, either alone or in combination, fails to disclose or suggest at least these features in the amended independent claims and reconsideration is requested in view thereof.

Further, it is respectfully submitted that the prior art fails to disclose or suggest a power supply circuit configured to generate a power supply voltage by using an alternating voltage generated by the antenna as recited in at least claims 1-3 and 10-11. With reference to Yonezawa, the Office Action asserts that "*the integrated circuit 421 includes a power supply circuit (Fig. 21, element Vi) configured to generate a power supply voltage (Para. 233) by using an alternating voltage generated by the antenna 2708.*" It is respectfully submitted, however, that Yonezawa discloses "*One of the source region and drain region of the driving transistor 116 is connected to the power supply line (Vi) and the other is connected to the light emitting element 115. A capacitor 118 is connected to the gate electrode of the driving transistor 116 and to the power supply line (Vi)*" in Para. 233 (Fig. 21). However, Yonezawa does not disclose a power supply circuit configured to generate a power supply voltage by using an alternating voltage generated by the antenna 2708. Therefore, since the prior art of record fails to disclose each and every feature of the claims, a *prima facie* case of obviousness cannot be maintained for at least this further reason.

Therefore, the Applicant respectfully submits that the Official Action has not provided a proper or sufficient reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine reference teachings to achieve the claimed invention.

In the present application, it is respectfully submitted that the prior art of record, either alone or in combination, does not expressly or impliedly suggest the claimed invention and the Official Action has not presented a convincing line of reasoning as to


why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

For the reasons stated above, the Official Action has not formed a proper *prima facie* case of obviousness. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,



Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
3975 Fair Ridge Drive
Suite 20 North
Fairfax, Virginia 22033
(571) 434-6789